

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 09-2190

SCHOOL DISTRICT OF PHILADELPHIA

v.

DEBORAH A.,
PARENT AND NATURAL GUARDIAN OF C.C., A MINOR,

Appellant

On Appeal from the United States District Court
for the
Eastern District of Pennsylvania
(D.C. No. 08-cv-02924)
District Judge: Berle M. Schiller

Submitted Under Third Circuit L.A.R. 34.1(a)
on Monday, March 21, 2011

Before: FUENTES, SMITH, AND VAN ANTWERPEN, Circuit Judges.

(Opinion Filed: April 6, 2011)

OPINION OF THE COURT

FUENTES, Circuit Judge:

In this special education civil rights case, the parent Deborah A. filed suit against the School District of Philadelphia on behalf of her daughter Candiss C., alleging that the School District failed to offer Candiss C. a free appropriate education in compliance with

the Individuals with Disabilities Education Improvement Act (“IDEA”), 20 U.S.C. § 1400 *et seq.* Following a series of administrative and state court proceedings, Deborah A.’s various cases were consolidated in the District Court. Thereafter, the District Court considered several cross motions, including a motion for remand to the Pennsylvania Special Education Administrative Process for consideration of Deborah A.’s compensatory education claims existing prior to July 1, 2005.

After hearing the parties on the motions, the District Court concluded that the claims regarding events that occurred before July 27, 2005 were barred by IDEA’s two-year statute of limitations. On appeal, the parties agree that our recent decision in *Steven I. v. Central Bucks Sch. Dist.*, 618 F.3d 411 (3d Cir. 2010), “decid[ed] the same legal issue presented here”—that is, the applicability to Deborah A.’s claims of the shortened statute of limitations established in the IDEA as amended in 2004—and required the denial of her motion. (App’t Br. 2) In light of this concession, we will affirm the decision of the District Court for substantially the reasons given in that decision.